



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

July 16, 1991

Mr. G. Michael Gruber  
Jackson & Walker  
Attorneys for Texas High-Speed Rail Authority  
901 Main Street, Suite 6000  
Dallas, Texas 75202-3797

OR91-328

Dear Mr. Gruber:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 12707.

The Texas High-Speed Rail Authority (the authority) received a request for the agenda packet or notebook and all materials prepared for the board of directors (the board) of the authority for the board meeting on May 28, 1991. Based on the attorney-client privilege of section 3(a)(7) of the Open Records Act, you wish to withhold from required public disclosure a legal memorandum from the counsel for the authority to the chairman of the board, and a letter prepared jointly by the authority's counsel and the chairman of the authority addressed to another board member, which outlines the agenda of the May 28, 1991, board meeting.

We agree that both documents embody attorney-client communication. See Open Records Decision No. 574 (1990) (copy enclosed). You may, therefore, withhold the legal memorandum and letter based on section 3(a)(7) of the Open Records Act.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR91-328.

Yours very truly,

A handwritten signature in cursive script, reading "Kay Guajardo".

Kay Guajardo  
Assistant Attorney General

KHG/lb

Enclosure: Open Records Decision No. 574

cc: Thomas Polan  
Bickerstaff Heath & Smiley  
98 San Jacinto, Suite 1800  
Austin, Texas 78701-4039